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In the Supreme Court

of the United States

OCTOBER TERM, 1974

ROBERT BRADLEY JONES, HILDA STUBBNGS, SIDNEY FREEMAN, LLOYD SMITH, and MARY LOU IRVING, Members of TAXPAYERS' INVESTIGATIONAL COMMITTEE OF OREGON, an unincorporated association,

Petitioners,

vs.

GEORGE P. SCHULTZ, now by succession, WILLIAM E. SIMON, Secretary of the Treasury of the United States, and ROGERS C. B. MORTON, Secretary of the Interior of the United States,

Respondents.

MOTION FOR LEAVE TO FILE A BRIEF AMICUS CURIAE IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI

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STEVENS-NESS LAW PUB. CO., PORTLAND, ORE. 11-74

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The Association of O & C Counties, by Hardy, Buttler, McEwen, Weiss & Newman, its attorneys, applies for permission to the court to file an amicus curiae brief in opposition to the petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit on file herein. The opposition brief accompanies this motion. In support of the motion, your applicant respectfully represents to the Court as follows:

Applicant is the Association referred to in paragraph XII of the Complaint filed by petitioners for certiorari. Applicant is an unincorporated association, whose membership consists of the elected governing officials of the 18 O & C Counties. Applicant appeared as amicus curiae in both the District Court and Ninth Circuit proceedings herein.

The Association, through its members and its executive committee, has for years been the main medium of communication among the governments of the O & C Counties as to matters involving the O & C Lands, as well as between the governments of these counties and the governments of the State of Oregon and the United States. The applicant has made extensive studies of every aspect of the O & C operation, including historical studies, economic studies and legal research. The applicant is thus uniquely capable of rendering the court assistance and advice which would contribute materially to the adequate representation of the interest of the defendants, would assist the court in reaching a proper decision, and would be in the public interests.

Because of the Association's intimate involvement with every aspect of O & C Lands matters and because allegations have been made in the Complaint which reflect adversely on the Association and on its members (see paragraphs XII, XV and XVIII of the Complaint), the Association has an interest in the case appropriate to this motion.

Dated this ... day of November, 1974.

JOHN R. FAUST, JR.
HARDY, BUTTLER, MCEWEN,
WEISS & NEWMAN
Of Attorneys for Amicus Curiae,
Association of O & C Counties

I hereby certify that I served the foregoing Motion for Leave to File a Brief Amicus Curiae in Opposition to Petition for Writ of Certiorari on Donald C. Walker, Attorney for Petitioners; Sidney I. Lezak, U. S. Attorney, and Jack G. Collins, Assistant U. S. Attorney, Attorneys for Respondents; and Robert H. Bork, Solicitor General; on the .....day of November, 1974, by mailing to each of them three true and correct copies thereof, certified by me as such. I further certify that said copies were placed in sealed envelopes addressed to said attorneys, as follows: Donald C. Walker, Attorney for Petitioners, 2314 Lloyd Center, Portland, Oregon 97232; Sidney I. Lezak, U. S. Attorney, and Jack G. Collins, Assistant U. S. Attorney, Attorneys for Respondents, 506 United States Courthouse, Portland, Oregon 97205; Robert H. Bork, Solicitor General, Department of Justice, Constitution Avenue and 10th Street, N.W., Washington, D. C. 20530; which is their regular office addresses, or their addresses as last given by them on a document which they have filed in the within entitled cause and served on me; said envelopes, with first class postage prepaid, were then deposited in the United States Post Office at Portland, Oregon, on the day last above written.

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HARDY, BUTTLER, MCEWEN,
WEISS & NEWMAN
Of Attorneys for Amicus Curiae,
Association of O & C Counties.